



U.S. Department of Justice

*United States Attorney
Southern District of New York*

86 Chambers Street
New York, NY 10007

September 20, 2024

BY ECF

The Honorable Alvin K. Hellerstein
United States District Court
United States District Judge
500 Pearl Street
New York, NY 10007

*So ordered
9-23-24
Alvin K. Hellerstein*

Re: *Knight First Amendment Institute at Columbia University v. U.S. Department of State*, No. 23 Civ. 02513 (AKH)

Dear Judge Hellerstein:

We write on behalf of Defendant the United States Department of State (the "State Department" or the "Government") and Plaintiff the Knight First Amendment Institute at Columbia University (the "Institute") to provide a status update in the above referenced Freedom of Information Act ("FOIA") matter.

Since the Parties' last status conference held on June 14, 2024, the State Department provided an update to Plaintiff on the status of its supplemental searches with respect to Request Nos. 1 and 2. In an email dated June 21, 2024, the State Department informed Plaintiff that it had identified 207 records potentially responsive to Request No. 1, and 5,319 records potentially responsive to Request No. 2.

The State Department has since conducted a closer relevancy review of these records and determined that there are approximately 69 records totaling approximately 894 pages that are potentially responsive to Request No. 1, which are currently being processed. With respect to the supplemental search for Request No. 2, the State Department determined that none of the additional records identified in the supplemental search are responsive to Plaintiff's FOIA request.

In an email dated June 28, 2024, the State Department informed Plaintiff that it completed its supplemental search for call readouts and identified eight readouts that were not previously collected. Upon review, however, these readouts were deemed non-responsive. The Department also re-reviewed one additional call readout that was previously collected but inadvertently deemed non-responsive. The Department processed this record and provided it to Plaintiff in its production on July 5, 2024.

The release letter sent with the State Department's July 5, 2024 production informed Plaintiff that the Department had processed the 98 pages that were determined to be responsive during its re-review. The Department notified Plaintiff that twelve pages, totaling three records, required further review before a release determination could be made.

On August 16, 2024, the State Department sent Plaintiff a release letter advising Plaintiff it completed its further review of the twelve pages and released all of them to Plaintiff in part.

The State Department anticipates making its next production on or about September 27, 2024. The parties are in discussions as to the processing rate for the remaining records, and will update the Court on October 8, 2024 if they are unable to reach an agreement on this issue.

The Parties propose submitting their next joint status report on November 19, 2024.

* * *

We thank the Court for its consideration.

Respectfully,

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United States Attorney

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